

REMARKS

Reconsideration and withdrawal of all grounds of rejection, and allowance of the pending claims are respectfully requested in light of the remarks made herein.

Claim 20 stands rejected under 35 U.S.C 101 as it is alleged to be directed to non-statutory matter. Applicants respectfully disagree and traverse.

Applicants submit that claim 20, as amended, recites functional descriptive material as it consists of data structures which impart functionality when employed by a computer component. It is well settled that nonfunctional descriptive material, such as music, art, and mere arrangements or compilations of facts or data, are merely stored so as to be read or outputted by a computer without creating any functional interrelationship, either as part of the stored data or as part of the computing processes performed by the computer (see for example, USPTO 2005 Examination Guidelines for Computer-Related Inventions). Amended claim 20 clearly recites data being stored on a computer-readable storage medium, which data imparts function to a computing device. Accordingly, it is respectfully submitted that the claim is allowable subject matter under 35 USC §101.

Claims 1-20 stand rejected under 35 USC 102(b) as being anticipated by Van Stam (WO 01/46843).

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims.

Claim 1 recites the limitations of: “a local database comprising community preference information related to preferences of a community of users and a priority controller for determining a priority of elements of community preference information in the local database...” Applicant can find nothing in Van Stam that teaches these limitations. Van Stam teaches that “the server organizes clients into groups and provides each client within a group with the network address of all other clients in the group. An originating client queries a targeted peer by transmitting a list indicative of *its user's preferences*.” See page 3, lines 12-15. Thus, Van Stam does not teach a local database comprising community preference information related to preferences of a community of users. Van Stam simply teaches that each client stores a list with its own preferences that can be transmitted to other clients. Further, the Office Action failed to address the limitation of “a priority controller for determining a priority of elements of community preference information in the local database.” Applicants respectfully request the Examiner address this limitation. Independent claims 19-20 recite similar limitations.

Since Van Stam does not teach all of the limitations of independent claims 1 and 19-20, it can not anticipate the present invention. For at least the above cited reasons, Applicant submits that Claims 1 and 19-20 are patentable over Van Stam.

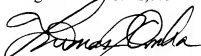
With regard to claims 2-18 these claims depend from the independent claim discussed above, which has been shown to be allowable in view of the cited reference.

Accordingly, each of claims 2-18 are also allowable by virtue of its dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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